



The Sea-Fisheries Protection Authority has issued a Fisheries Information Notice (FIN) entitled: 'Landing Obligation'

### Legislative Basis / Relevant Documentation:

[Council Regulation \(EC\) 1224/2009](#)

[Regulation \(EU\) No 1380/2013](#)

[Commission Delegated Regulation \(EU\) 2023/2623](#)

[Regulation \(EU\) 2019/833](#)

[Regulation \(EU\) 2023/2053](#)

[SI 497/2021 Sea-Fisheries \(Common Fisheries Policy\) \(Bluefin Tuna\) \(Amendment\) Regulations 2021](#)

[SI 360/2019 Sea-Fisheries \(Common Fisheries Policy\) \(Bluefin Tuna\) \(Amendment\) Regulations 2019](#)

[SI 447/2018 Sea-Fisheries \(Common Fisheries Policy\) \(Bluefin Tuna\) \(Amendment\) Regulations 2018](#)

[SI 680/2016 Sea-Fisheries \(Common Fisheries Policy\) \(Bluefin Tuna\) Regulations 2016](#)

[SI 323/2023 Sea-Fisheries \(North Western Waters Landing Obligation\) \(Amendment\) \(No. 2\) Regulations 2023](#)

[SI 101/2021 Sea-Fisheries \(North Western Waters Landing Obligation\) Regulations 2021](#)

### Glossary of Terms

**Table 1** – Terms and acronyms used in this document and their descriptions.

Terms/ Acronyms	Description
Landing Obligated Species	Any species subject to catch limits. Landing obligated species must be retained and recorded in the fishing logbook.
Minimum Conservation Reference size (MCRS)	The size of a living marine aquatic species taking into account maturity, as established by Union law, below which restrictions or incentives apply that aim to avoid capture through fishing activity; such size replaces, where relevant, the minimum landing size.
Total Allowable Catch (TAC)	For fisheries exempt from the landing obligation, the quantity of fish that may be <u>landed</u> from each stock each year; and in all other fisheries, the quantity of fish that may be <u>caught</u> from each stock each year.
Discard	Any fish caught and returned to sea.

### Landing Obligation

The objective of the landing obligation is to eliminate discards by avoiding and reducing unwanted catches. All catch subject to catch limits must be retained, recorded, and landed. **Both legal sized and below minimum conservation reference size (<MCRS) species that are subject to catch limits must be retained, recorded, and landed.** The master must record the legal sized species separately from <MCRS species in the logbook. It is a requirement for masters to record catch hauled up as a result of a fishing operation in their fishing logbook.

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### Landing Obligation: <MCRS

Quota species that are below MCRS are subject the landing obligation and must be retained, recorded, and landed.

#### Onboard a vessel <MCRS species:

- Must be recorded separately from the species above MCRS.
- Must be identifiable and stored separately from above MCRS species.
- May be stored together in mixed boxes (however, they will be required to be weighed separately on landing or at a permitted premises post-transport).
- Please note exceptions to the above points below in the section ' <MCRS small pelagic species stored in bulk '.

#### After landing <MCRS species must be:

- Separated out by species and weighed.
- Recorded separately from above MCRS species in the Landing Declaration, Transport Document, Sales Note, and other associated documentation.
- Restricted to purposes other than direct human consumption.
- Please note exceptions to the above points below in the section ' <MCRS small pelagic species stored in bulk '.

#### <MCRS small pelagic species stored in bulk:

Small pelagic species are mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, sardines, argentine, and sprat. Where these small pelagic species have catch limits, they are subject to the landing obligation.

However, **the following exemptions apply for small pelagic species below MCRS stored in bulk:**

- No separate stowage of catches is required if the catch contains 80% of one or more of the small pelagic species.
- For sardine, anchovy, herring, horse mackerel and mackerel, there are no restrictions to marketing if <10% of total catch is below MCRS.

### Landing Obligation Exemptions: Legal Discards

- The master must record the species, quantity, and the type of discard in the logbook.
- Catch being discarded under an exemption must be returned to the water as soon as possible.
- As catch is not landed, it is not counted against a vessel's quota. Legal discarding allows a vessel to maximise fishing opportunities available in a fishing area.

The following are types of discards that **must/may** be discarded. The master must record the discard and type of discard in the logbook. There are six types of landing obligation exemptions, known as discards.

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- Prohibited/Protected Species
  - RFMO Species
  - Non-TAC species (below MCRS)
- MUST DISCARD**

- Predator Damage
  - Non-TAC species (above MCRS)
  - High Survivability
  - *De-minimis*
- MAY DISCARD**

### Prohibited Species

Prohibited species are any type of fish, marine reptiles, marine mammals, and sea birds for which fishing is prohibited under a legal act. It is prohibited for these species listed as protected to be retained onboard, transhipped, landed and/or stored. When accidentally caught the species referred to shall not be harmed and must be promptly released back into the sea.

### Non-TAC Species

Non-TAC species are species that are not subject to catch limits, and therefore are not landing obliged and may be discarded. However, **non-TAC species below MCRS must be discarded**. There is no legislative limit on the quantity of non-TAC that can be discarded.

### Predator Damage

Predator damage refers to species subject to catch limits that have been damaged by predators. Catches subject to predator damage may be discarded, and there is no legislative limit on the amount that can be discarded.

### High Survivability

High survivability species are those species which have a proven ability to survive after being returned to the water following a fishing operation. The conditions attached to high survivability are often area- and gear-specific. Species that meet high survivability requirements may be discarded and there are no legislative limits on the amounts that can be discarded. Species being discarded under this exemption must be released immediately. Annex 1 of this FIN details all high survivability requirements for pelagic and demersal species exploited in the Irish EEZ.

### De-minimis

*De-minimis* discarding allows for the discarding of certain unwanted species and size classes of species. This discard allowance acknowledges the limitations of technical measures to completely avoid unwanted catches. The conditions attached to *de-minimis* are often area- and gear-specific. Species that meet *de-minimis* requirements may be discarded. There are national limits to *de-minimis* discards for each species. Annex 2 of this Fisheries Information Notice details all *de-minimis* discarding requirements for pelagic and demersal species exploited in the Irish EEZ.

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### RFMO Species

Regional fisheries management organisation (RFMO) species are highly migratory species, which are controlled and monitored by regional fisheries management organisations, such as by-catches of Bluefin Tuna.

For example, it is **PROHIBITED** to target Bluefin Tuna during any fishing trips including commercial, sport fisheries and recreational fishers who are not authorised.

- A master of any Irish sea-fishing vessel shall ensure that by-catches of Bluefin Tuna are retained and must not exceed 5% of total catches on board at the end of each fishing trip. These catches must be retained (whole and unprocessed), recorded, and cannot be discarded.
- Catches in excess of 5% of total catches onboard at the end of each fishing operation must be recorded and discarded.

### Recording Discards

- Any discards must be accurately recorded in the fishing logbook, using the appropriate (*Reason for Discard*) discard code (see Table 2 below).
- Any species must initially be recorded as caught before they may be recorded as discarded. Quantities of species can only be discarded in the units they were recorded in. For example, if haddock has been caught and recorded in 40kg boxes, any haddock discarded must be recorded as the number of 40kg boxes.
- For any species, the maximum quantity that can be recorded as discarded is the total quantity of that species recorded as caught.
- Electronic logbook users can find a video tutorial, detailing how to record discards, on their logbook desktop.
- Instructions on how to record a discard are also provided in the Landing Obligation Guide on the [SFPA website](#). If a master requires assistance, they can contact their local Sea-Fisheries Protection Authority Office.

**Table 2** – The reasons for discarding and their associated three-letter discard codes.

Reason for Discard	Discard Code
<i>De-Minimis</i>	DIM
High Survivability	HSV
Predator Damage	PDM
Prohibited Species	PRO
Non-TAC Species	NTS
RFMO Requirements	RFM

### Contact Details

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### Annex I – High Survivability

Species	Fishing area	Gear in use	Cod end mm	Specific area	Required Condition
<b>NEP (Nephrops)</b>	6 and 7	FPO, FIX	NA	NA	NA
	6a within 12nm of the coast	OTT, OTB, TBS, TBN, PTB	80-110	NA	NA
	7	OTT, OTB, TBS, TBN, PTB	Equal to or larger than 100	NA	NA
				7	<p><i>Vessels operating with bottom trawls or seines with catches comprising more than 30% of Norway Lobster.</i></p> <p>One of the following selective gears must be used:</p> <ul style="list-style-type: none"> <li>- Square mesh panel (SMP) of at least 300mm (200mm if vessel is under 12m);</li> <li>- Seltra panel;</li> <li>- Sorting grid with max. bar spacing of 35 mm or equivalent Netgrid selectivity device;</li> <li>- 100mm cod-end with SMP of at least 100mm;</li> <li>- Dual cod-end with the uppermost cod-end constructed of T90 mesh of at least 90mm with a separation panel with max mesh size of 300mm.</li> </ul>
		Celtic Sea Protection Zone	<p>One of the following selective gears must be used:</p> <ul style="list-style-type: none"> <li>- Square mesh panel (SMP) of at least 300mm (200mm if vessel is under 12m);</li> <li>- Seltra panel;</li> <li>- Sorting grid with max. bar spacing of 35 mm or equivalent Netgrid selectivity device;</li> <li>- 100mm cod-end with SMP of at least 100mm;</li> <li>- Dual cod-end with the uppermost cod-end constructed of T90 mesh of at least 90mm with a separation panel with max mesh size of 300mm.</li> </ul>		
7a	<p>One of the following selective gears must be used:</p> <ul style="list-style-type: none"> <li>- SMP of at least 300mm (200mm if vessel is under 12m);</li> <li>- Seltra panel;</li> <li>- Sorting grid with max. bar spacing of 35 mm;</li> <li>- Cefas Netgrid;</li> <li>- Flip-flap trawl.</li> </ul>				
<b>SOL (Common Sole), below MCRS</b>	7d within 6nm of coast, but outside identified nursery areas	OTT, OTB, TBS, TBN, PTB	80-99	NA	Vessel has a maximum length of 10m and max. engine power of 221kW and fishing in waters with depths of 30m or less with tow durations of no more than 90 mins.
	7e within 6nm of coast, but outside identified nursery areas	OTB		NA	Vessel must be under 12m.
<b>Skates and Rays</b>	6 and 7	All gear types	NA	NA	NA

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PLE (Plaice)	7d to 7g	GTR, GTN, OTT, OTB, TBS, TBN, PTB	NA	NA	NA
	7a to 7g	TBB	NA	NA	Maximum engine greater than 221kW with a flip-up rope or benthos release panel.
	7a to 7g				Vessels with a maximum engine power of 221kW or a max length of 24m, constructed to fish within 12nm of the coast and with average tow durations of no more than 90 mins.
	7d	SDN	NA	NA	NA
	7d to 7k	SSC	NA	NA	NA
Species caught in pots, traps, and creels	5 (excluding 5a and only union waters of 5b), 6 and 7	FPO, FIX	NA	NA	NA
MAC (Mackerel), HER (Herring)	6	Purse Seine Fisheries	NA	NA	<p>All of the following conditions must be met:</p> <ul style="list-style-type: none"> <li>– Catch is released before the point of retrieval is reached. Point of retrieval shall be 80% closure for MAC fisheries and 90% for HER fisheries. If the surrounded school is a mix, it is 80%.</li> <li>– The purse seine is fitted with visible buoys marking the limit for the point of retrieval.</li> <li>– The vessel and gear are equipped with an electronic recording and documenting system recording when, where and extent to which gear has been hauled for all fishing operations.</li> <li>– Surrounded school is sampled before release to estimate species and size composition and quantity.</li> </ul>
	7e and 7f	Ring net fishery targeting non-quota pelagic species	NA	NA	<p>All of the following conditions must be met:</p> <ul style="list-style-type: none"> <li>– Catch is released before the point of retrieval is reached. Point of retrieval shall be 80% closure for MAC fisheries and 90% for HER fisheries. If the surrounded school is a mix, it is 80%.</li> <li>– The purse seine is fitted with visible buoys marking the limit for the point of retrieval.</li> <li>– The vessel and gear are equipped with an electronic recording and documenting system recording when, where and extent to which gear has been hauled for all fishing operations.</li> <li>– Surrounded school is sampled before release to estimate species and size composition and quantity.</li> </ul>

**NB: Species being discarded under these exemptions shall be released immediately.**

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### Annex 2 - De-minimis

Species	Fishing area	Gear in use	Cod end (mm)	Specific area	Required condition
WHG (Whiting)	7d and 7e	OTB, OTT, PTB, SSC, SDN, SPR, TBN, TBS, OTM, PTM, TBB	Bottom trawls and seines mesh equal to or greater than 80  Pelagic trawls and beam trawls 80-119	NA	NA
SOL (Common Sole)	7d to 7g	GNS, GND, GNC, GTN, GTR	NA	NA	NA
	7a, 7d to 7h, 7j to 7k	TBB	80-119	NA	Flemish Panel
HAD (Haddock)	7b, 7c and 7e to 7k	OTB, OTT, PTB, SSC, SDN, SPR, TBN, TBS	Greater than or equal to 100	NA	Catch must be no more than 30% NEP. Beam trawls are excluded from this exemption
		NA	Greater than or equal to 80	NA	Catch must comprise more than 30% NEP
		Beam Trawls	Greater than or equal to 80	NA	Flemish Panel
BOR (Boarfishes)	7b, 7c and 7f to 7k	OTT, OTB, TBS, TBN, PTB	NA	NA	NA
LEZ (Megrin) below MCRS	7	OTT, OTB, TBS, TBN, PTB	70 - 99	7f, 7g and part of 7h north of latitude 49°30'N and part of 7j North of 49°30'N and East of 11°W	Catch composition more than 55% whiting or 55% anglerfish, hake or megrim combined
				7, outside above areas	NA
		TBB	80 - 119	NA	NA
ARU (Greater Silver Smelt)	5b (EU waters) and 6	OTT, OTB, TBS, TBN, PTB	Greater or equal to 100	NA	NA
HOM (Horse Mackerel), MAC (Mackerel)	6 and 7b to 7k	OTB, OTT, PTB, SSC, SDN, SPR, TBB, TBN, TBS	NA	NA	Caught in demersal mixed fisheries
WHB (Blue Whiting)	5b, 6 and 7	NA	NA	NA	In the Industrial pelagic trawler fishery targeting blue whiting and processing on board to obtain surimi base
MAC (Mackerel), HOM (Horse Mackerel) and WHG (Whiting)	7d	OTM & PTM	NA	NA	Pelagic trawlers up to 25m in length overall targeting mackerel, horse mackerel and herring

- Technical measures, including those established in [Regulation \(EU\) 2019/1241](#), must be complied with at all times.
- Descriptions of the three-letter commercial gear type codes listed in the tables above are available on the [SFPA website](#).

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